

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:

Harold Robert Caples

Case No. 10-37437-DOT

Debtor.

Chapter 13

Harold Robert Caples,

Plaintiff,

v.

Adv. Pro. No. 11-03171-DOT

Green Tree Servicing LLC,
et al.

Defendants.

**ANSWER TO COMPLAINT TO DETERMINE VALIDITY, EXTENT, AND PRIORITY
OF LIEN PURSUANT TO 11 U.S.C. §506(a)**

NOW COMES Green Tree Servicing LLC and for its Answer to Complaint to Determine Validity, Extent, and Priority of Lien Pursuant to 11 U.S.C. §506(a) (“Complaint” herein) filed by Plaintiff/Debtor states as follows:

1. It admits the allegations contained in paragraph 1 of the Complaint.
2. It admits the allegations contained in paragraph 2 of the Complaint.
3. It admits the allegations contained in paragraph 3 of the Complaint.
4. It admits the allegations contained in paragraph 4 of the Complaint.
5. It admits the allegations contained in paragraph 5 of the Complaint.

Sara A. John, VSB #48425
M. Richard Epps, P.C.
605 Lynnhaven Parkway
Virginia Beach, VA 23452
757-498-9600
Counsel for SunTrust Bank

6. It admits the allegations contained in paragraph 6 of the Complaint.
7. It admits the allegations contained in paragraph 7 of the Complaint.
8. It neither admits nor denies the allegations contained in paragraph 8 of the Complaint and demands strict proof thereof.
9. It admits the allegations contained in paragraph 9 of the Complaint.
10. It admits the allegations contained in paragraph 10 of the Complaint.
11. It neither admits nor denies the allegations contained in paragraph 11 of the Complaint and demands strict proof thereof.
12. It denies the allegations contained in paragraph 12 of the Complaint and demands strict proof thereof.

Affirmative Defense

1. The lien of Green Tree Servicing LLC should remain in full force and effect until the Debtor receives a Chapter 13 discharge in this case.

WHEREFORE, having fully answered the Complaint, Green Tree Servicing LLC respectfully requests that the relief sought in the Complaint be denied, that the Complaint be dismissed, that Defendant be awarded attorney's fees for having to defend this action, and for such other relief as is just.

Green Tree Servicing LLC

/s/ Sara A. John
Sara A. John
M. Richard Epps, P.C.

Certificate of Service

I hereby certify that on July 25, 2011, I mailed or electronically served a true copy of the foregoing Answer to: Richard James Oulton, Counsel for Plaintiffs/Debtor, 111 Highland Avenue, Colonial Heights, VA 23834; and Carl M. Bates, Trustee, P.O. Box 1819, Richmond, VA 23218.

/s/ Sara A. John
Sara A. John
M. Richard Epps, P.C.